

LOUISIANA ETHICS ADMINISTRATION PROGRAM
P.O. Box 4368
Baton Rouge , Louisiana 70821

RE: Request for Advisory Opinion

Hello,

I respectfully ask for an advisory opinion in the case listed below.

I am a current employee of Audubon Regional Library in East Feliciana and St. Helena parishes. I am also a part-time contractor for the Department of Corrections. My specific assignment for the part-time job has been to oversee library services at Louisiana State Penitentiary.

I have held both positions since June of 2017. I researched the Ethics guidelines for Dual Employment. If I understood the guidelines for Dual Employment correctly, an employee of a local parish entity (Audubon Regional Library) can be employed on a part-time basis at a State funded job, (Department of Corrections). I fully disclosed the job to the ARL Library Board members at the December 2017 Board meeting and it is in the documents of that meeting under the Director's Report.

The Scope and duties for both jobs are listed below.

Audubon Regional Library- Public Library

2 Parish Library system (East Feliciana and St. Helena Parishes) with locations in Clinton, Jackson, and Greensburg, Louisiana.

1. Full time employee of Audubon Regional Library
2. Salaried Director at 40 hours/week
3. Duties include:
 - a. Oversee all day-to-day library operations for Audubon Regional Library and act as Secretary to the Audubon Regional Library Board, and report statistical information to the State Library annually. Day-to-day operations include and are not limited to: setting a yearly budget, adhering to the approved budget, ensuring fiscally transparent operations and positive audits of the financial dealings of the library, selection of vendors, advertising, liaison with the public, human resources, setting library hours and overseeing programming, etc.
4. As part of their accounting procedures, Audubon Regional Library has required me to keep timesheets even though I am a salaried employee. These are submitted every two weeks to the accountant according to our payroll cycle. I account for the 40 hours of time worked/week at Audubon Regional Library. These hours fluctuate depending on Director duties. Attendance at evening Police Jury meetings, Town Hall meetings or other meetings may affect the hours worked. Sometimes I work early before typical business hours and sometimes I work into the

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evening. Since being hired, I have worked over 40 hours/week almost every week. I am also "on site" during business hours on a daily basis to handle all major decisions for all three branches and other duties related to the ARL Board, conducting manager meetings, meetings with insurance agents, banks, auditors, and attorneys, etc.

5. Audubon Regional Library has been assigned by the State Library as the Interlibrary Loan "site of delivery" for ILL materials requested by inmates at DCI, which is within our library system boundaries, and for Louisiana State Penitentiary. This means the requested items are delivered to Audubon Regional Library. Any statistics from ILL requests and use are attributed either the State Library or Audubon Regional Library depending on how the material was ordered. Orders have typically been placed on LSP grounds or at home after work hours if the At-Low system at the Prison is not operational. All deliveries from the State Library for LSP have been and are placed aside to be transported to the prison. No staff or I have done anything with these items during Audubon Regional library hours. After Audubon Regional library hours or at break time, I have loaded LSP ILL books into my vehicle to take to the Louisiana State Penitentiary's main library.
 - a. When I leave Audubon Regional Library, I am **not** "on the clock" for Audubon Regional Library. I am also **not** "on the clock" for Audubon Regional Library while I transport ILL materials to and from Louisiana State Penitentiary.
 - b. In addition, I am **not** "on the clock" for the Department of Corrections when I transport ILL items "to or away" from the prison. I am only "on the clock" at LSP when I have signed in on the timesheet at the front gate of Louisiana State Penitentiary. I go "off the clock" for the Department of Corrections when I sign out on the time sheet at the front gate and leave prison grounds. I am transporting items on my own personal time.

Louisiana State Penitentiary- Prison Library

6. Part-time Contractor for the Department of Corrections
7. Contract terms are up to 360 hours/year. There is no set mandatory number of hours per week or any set time the hours must be completed. There is only a cap of 360 hours/year.
 - a. Duties include: Overseeing inmate workers, collection development, acquisitions, creating and signing 156B's, creating and updating all ACA documentation, and keeping monthly and yearly statistics which must be reported to the Department of Corrections for the State for ACA purposes and accreditation. In addition, I oversee ILL services for Louisiana State Penitentiary's main library.
8. Once I sign in on the timesheet at the gate, I am "on the clock" for the Department of Corrections. I then transport ILL materials to the Main Library. This is about a 5 minute drive. I walk the items into the Main Prison Library. I give those items to inmate librarians who then process those materials and distribute them to the inmates who ordered them. Once inmates are finished with the items, the inmate library staff returns them to me (usually within 2-3 weeks). I then transport these items to my car. I must sign in and sign out in order to be paid

for time worked prison grounds. I transport the ILL items back to Audubon Regional Library, usually within the next business day. I am not "on the clock" for Audubon Regional Library until I arrive at work. I remove the items transported and place them in a bin for pick-up. They will be picked up by the State's ILL courier service and sent back to their respective lenders. I am not paid for transporting materials. The State Library does not transport ILL items via a courier service to LSP because of the distance and cost involved. I transport all ILL items for the prison on my own "personal time."

Other details:

1. All ILL services at LSP main library were suspended in January 2020 due to COVID. These will not be resuming through the end of the 2020 year.
2. The State Library suspended all ILL services from April 2020–June 2020 due to COVID. This affected all libraries in the ILL System: public, private, and academic and prisons, etc.
3. The Department of Corrections has mandated that in order to be paid for work at LSP, I am expected to sign a time sheet at the front gate. I am only paid for time that I am actually on the LSP grounds. I receive no pay for any work outside the gates of the prison. I receive no pay for any work done or completed outside of the prison grounds. Any work I do from home for this part-time job is also not paid.
4. I am able to work my part-time job around the hours of my full time job. Typically, the employment hours I choose at LSP include visits on weekends, nights, and on employee vacation days and holidays.
5. In 2019, the State Library instituted a new system called At-Low. Inmates are allowed to order ILL materials directly from the State Library through the At-Low system. Inmate Library staff keep track of ILL orders being delivered from this requesting system and through paperwork. As a contractor I report yearly statistics from the ILL services provided by Inmate Library Staff. As a personal citizen, I am simply transporting materials "free of charge" to and from the prison. Transportation of ILL materials to and from the prison is on my own "personal time" outside of both jobs.

If any additional information is needed in order to form an opinion, I would be happy to oblige. Please feel free to use the contact information below.

Sincerely, ~



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